

EXHIBIT 12

[UNREDACTED in the PUBLIC RECORD]

1 UNITED STATES DISTRICT COURT

2 NORTHERN DISTRICT OF CALIFORNIA

3 No. 5:16-cv-00523-RMW

4
5 30(b)(6) DEPOSITION OF SEAGATE TECHNOLOGY, LLC
6 AS GIVEN BY: PATRICK DEWEY
September 7, 2017

7
8 IN RE SEAGATE TECHNOLOGY, LLC
9 LITIGATION

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1 where there is not a Gen 3 because the drive was
2 mature and capable in the Gen 2 phase. And so you
3 could -- you can eliminate a phase if the drive
4 matures and demonstrates all of its metrics and specs
5 and meets expectations, and you would go right to CTU
6 phase.

7 Q Which is a release phase, right?

8 A CTU is a phase where you release test
9 units to customers, but it is not released for
10 revenue shipments.

11 Q Right.

12 A That would be SAD.

13 Q And SAD would be subsequent to the CTU?

14 A It could be at the same time or it could
15 be later.

16 Q Okay. But typically it's not before,
17 right?

18 A Never before.

19 Q Okay. You said "mat testing." Do you --
20 is that short for maturity testing?

21 A I think so, yeah.

22 Q Okay.

23 A Yeah. It's part of the Reli suite of
24 tests. You'll find a lot of different names used
25 describing that.

1 Q Okay. And so those are the kinds of tests
2 that are performed during development to -- to assess
3 whether a drive has reached certain goals; is that
4 correct?

5 A Yes.

6 Q Okay. And just correct me if I -- if I
7 have this right based on what you just said, that
8 depending on the results of mat testing, you could
9 actually move up the development or even eliminate
10 certain stages of development of a drive?

11 A You can.

12 Q Okay. It actually means you're ahead of
13 schedule, right?

14 A You can -- I've been on programs where we
15 have not had to have all of the phases because you
16 are ahead, yes.

17 Q Well, that must -- yeah, you're probably
18 happy when that happens, right?

19 MS. MCLEAN: Objection, beyond the scope,
20 calls for speculation, overbroad.

21 A As a development team, yes.

22 Q (BY MR. GOLDICH) Because you're meeting
23 your goal, but you're not just meeting it, you're
24 meeting it ahead of schedule.

25 MS. MCLEAN: Beyond the scope, calls for

1 A Yes.

2 Q Okay. And some of those tests are related
3 to something referred to as AFR, right?

4 A We get a measurement of AFR out of tests
5 that are done in the development phase.

6 Q Okay. And there's also tests related to
7 MTBF, right?

8 A Yes.

9 Q And that's the mean time between failure,
10 right?

11 A Yes.

12 Q And then there's tests related to DPPM,
13 right?

14 A Correct.

15 Q And that's defective parts per million,
16 right?

17 A Yes.

18 Q Okay. Other than those three, what --
19 what sort of tests are performed on the drives during
20 development?

21 A A series of tests that measure the drive
22 against specifications. It's referred to in our
23 language as DMT, and it's design maturity testing.
24 So in those tests we look at things like power
25 consumption, acoustics, the thermal map of the drive,

1 how it reacts in shock and vibe, and verifying that
2 it meets specs to those events. So a lot of the spec
3 verification beyond the AFR and MTBF and DPPM.

4 Q And you answered my next question, which
5 was going to be, are those tests performed to assess
6 whether the drive is meeting the specifications that
7 are contemplated by the core team contract?

8 A Yes.

9 Q Okay.

10 A It's repeated many times.

11 Q Meaning the tests are repeated many times?

12 A The test measurement. As I described the
13 run/break/fix cycle, each time we subject them
14 against its specs and its MTBF and DPPM, and that
15 gives us the feedback to mature.

16 Q And then ultimately specifications of a
17 drive make their way into something called a product
18 manual, right?

19 A Yes.

20 MS. MCLEAN: Objection, beyond the scope.

21 Q (BY MR. GOLDICH) Are those specifications
22 derived from the core team contract?

23 MS. MCLEAN: Objection, beyond the scope.

24 You can answer to the extent of your
25 personal knowledge.

1 A Yes, sir.

2 Q Okay. And there's a -- there's some
3 bullets under the words "Key Message."

4 Do you see that?

5 A Yes, I do.

6 Q And then there's the first sentence there
7 says, "Added 692 drives (Mat 2.0) with CA's and PCO
8 8.1 and at an average of 433 hours."

9 Do you see that?

10 A Yes, I do.

11 Q Okay. So there's a reference here to Mat
12 2.0, right?

13 A Yes, sir.

14 Q So that's a maturity test?

15 A Yes.

16 Q And this was a -- not the first maturity
17 test, right?

18 A No.

19 Q So this was one where additional testing
20 had to be performed, right?

21 A Yes.

22 Q Okay. Do you recall why more testing
23 needed to be done?

24 A Yes, and certainly refreshed by looking at
25 this. I will refer you to where it says, "Drive

1 Development Phase: Gen 2."

2 Q Yes.

3 A That's a reference to that life cycle of
4 the development. And if you look at the graph right
5 below it, it lists essentially from Phase 0 through
6 many of the generations or stages. And then you can
7 see its proximity to CTU, Disty, and OEM approval, is
8 what is being referred to there.

9 So as we mature the drive, we make a
10 measure of how it's performing against the specs and
11 the MTBF, AFR, DPPM. And at that phase, Gen 2, we
12 were less than a CTU, Disty, and OEM level of
13 performance for MTBF.

14 So what I was communicating from this
15 document was a weekly review with our executive team
16 that we had put more drives into a regression test
17 with improvements in the test process in an effort to
18 learn are we making improvements and strides towards
19 improving those.

20 So this is before any ship approval. This
21 is as we were maturing the drive.

22 Q But this is a ship approval for the
23 Seagate Branded Solutions drives, right?

24 A Yes, and this slide or portion here speaks
25 to the entire Grenada status. I include it because

1 STATE OF COLORADO)

2) ss. REPORTER'S CERTIFICATE

3 COUNTY OF DENVER)

4 I, Pamela J. Hansen, do hereby certify that
5 I am a Registered Professional Reporter and Notary
6 Public within the State of Colorado; that previous to
7 the commencement of the examination, the deponent was
8 duly sworn to testify to the truth.

9 I further certify that this deposition was
10 taken in shorthand by me at the time and place herein
11 set forth, that it was thereafter reduced to
12 typewritten form, and that the foregoing constitutes
13 a true and correct transcript.

14 I further certify that I am not related to,
15 employed by, nor of counsel for any of the parties or
16 attorneys herein, nor otherwise interested in the
17 result of the within action.

18 In witness whereof, I have affixed my
19 signature this 18th day of September, 2017.

20 My commission expires September 3, 2018.

21
22 _____
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